



REPUBLIC OF THE PHILIPPINES  
SUPREME COURT  
Manila

SECOND DIVISION

**NOTICE**

Sirs/Mesdames:

*Please take notice that the Court, Second Division, issued a Resolution dated **12 October 2020** which reads as follows:*

“**G.R. No. 248955 (People of the Philippines v. XXX<sup>1</sup>)**. – The Court **NOTES:** (a) the manifestation in lieu of supplemental brief dated 3 August 2020 of the Public Attorney’s Office, dispensing with the filing of supplemental brief, since no new issues material to the case, which were not elaborated upon in the appellant’s brief before the Court of Appeals (CA), were discovered, and the filing of a supplemental brief would only be a repetition of the arguments raised therein; and (b) the manifestation and motion dated 21 September 2020 of the Office of the Solicitor General, adopting its brief filed before the CA as its supplemental brief, since the same had adequately discussed all matters pertinent to the plaintiff-appellee.

After a judicious study of the case, the Court resolves to **DISMISS** the appeal<sup>2</sup> for failure to sufficiently show that the CA committed any reversible error in the assailed Decision as to warrant the exercise of the Court’s appellate jurisdiction. However, in light of prevailing jurisprudence,<sup>3</sup> the Court deems it proper to impose legal interest at the rate of six percent (6%) per annum on all monetary awards due from the date of finality of this Resolution until full payment.

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<sup>1</sup> Pursuant to Supreme Court Amended Administrative Circular No. 83-2015 entitled “PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES” issued on September 5, 2017.

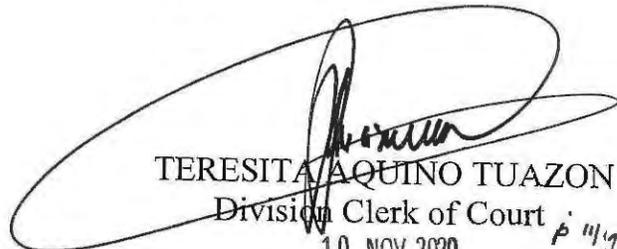
<sup>2</sup> See Notice of Appeal dated March 15, 2019; *rollo*, pp. 15-16.

<sup>3</sup> *Nacar v. Gallery Frames*, 716 Phil. 267, 283 (2013).

WHEREFORE, the Court ADOPTS the findings of fact and conclusions of law in the February 13, 2019 Decision<sup>4</sup> of the CA in CA-G.R. CR-H.C. No. 10315 and AFFIRMS said Decision finding accused-appellant XXX GUILTY beyond reasonable doubt of the crime of Rape, defined and penalized under Article 266-A, in relation to Article 266-B of the Revised Penal Code. Accordingly, he is sentenced to suffer the penalty of *reclusion perpetua*, and to pay AAA<sup>5</sup> the following amounts: (a) ₱75,000.00 as civil indemnity; (b) ₱75,000.00 as moral damages; (c) ₱75,000.00 as exemplary damages; and (d) costs of suit. Moreover, all monetary awards shall earn an interest at the legal rate of six percent (6%) per annum from the date of finality of this Resolution until full payment.

SO ORDERED. (Baltazar-Padilla, J., on leave.)”

By authority of the Court:

  
TERESITA AQUINO TUAZON  
Division Clerk of Court  
10 NOV 2020 P 11/20

<sup>4</sup> *Rollo*, pp. 3-14. Penned by Associate Justice Remedios A. Salazar-Fernando with Associate Justices Amy C. Lazaro-Javier (now a member of this Court) and Marie Christine Azacarraga-Jacob, concurring.

<sup>5</sup> The identity of the victim or any information which could establish or compromise her identity, as well as those of her immediate family or household members, shall be withheld pursuant to RA 7610, entitled “AN ACT PROVIDING FOR STRONGER DETERRENCE AND SPECIAL PROTECTION AGAINST CHILD ABUSE, EXPLOITATION AND DISCRIMINATION, AND FOR OTHER PURPOSES,” approved on June 17, 1992; RA 9262, entitled “AN ACT DEFINING VIOLENCE AGAINST WOMEN AND THEIR CHILDREN, PROVIDING FOR PROTECTIVE MEASURES FOR VICTIMS, PRESCRIBING PENALTIES THEREFOR, AND FOR OTHER PURPOSES,” approved on March 8, 2004; and Section 40 of A.M. No. 04-10-11-SC, otherwise known as the “RULE ON VIOLENCE AGAINST WOMEN AND THEIR CHILDREN” (November 15, 2004). (See footnote 4 in *People v. Cadano, Jr.*, 729 Phil. 576, 578 [2014], citing *People v. Lomaque*, 710 Phil. 338, 342 [2013]. See also Amended Administrative Circular No. 83-2015, entitled “PROTOCOLS AND PROCEDURES IN THE PROMULGATION, PUBLICATION, AND POSTING ON THE WEBSITES OF DECISIONS, FINAL RESOLUTIONS, AND FINAL ORDERS USING FICTITIOUS NAMES/PERSONAL CIRCUMSTANCES,” dated September 5, 2017.) See further *People v. Ejercito*, G.R. No. 229861, July 2, 2018. To note, the unmodified CA Decision was not attached to the records to verify the real name of the victim.

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Accused-Appellant  
c/o The Director  
Bureau of Corrections  
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THE DIRECTOR (reg)  
Bureau of Corrections  
1770 Muntinlupa City

HON. PRESIDING JUDGE (reg)  
Regional Trial Court, Branch 67  
Binangonan, Rizal  
(Case No. 12-0599)

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*Please notify the Court of any change in your address.*  
GR248955. 10/12/2020(310)URES(m) /a/r